

March 3, 2021

VIA E-MAIL & COURIER

Luly E. Massaro, Commission Clerk
Rhode Island Public Utilities Commission
89 Jefferson Boulevard
Warwick, RI 02888

RE: Docket No. 5122 Nautilus Solar Energy, LLC – National Grid Motion to Intervene

Dear Ms. Massaro:

On behalf of The Narragansett Electric Company d/b/a National Grid (the Company), enclosed for filing with the Rhode Island Public Utilities Commission (the Commission) please find an electronic version of the Company's motion to intervene in the above-referenced matter.

Consistent with the instructions issued by the Commission on March 16, 2020, and updated on October 2, 2020, this filing is being made electronically. Five (5) hard copies will be submitted to the Commission within twenty-four (24) hours, with two (2) hard copies being three-hole punched.

Thank you for your attention to this matter. If you have any questions, please contact me at 781-907-2126.

Very truly yours,



Laura C. Bickel
RI Bar # 10055

Enclosures

cc: RIPUC Docket No. 5122 Service List

Certificate of Service

I hereby certify that a copy of the cover letter and any materials accompanying this certificate was electronically transmitted to the individuals listed below.

Paper copies of this filing are being hand delivered to the Rhode Island Public Utilities Commission and the Petitioner.



Date: March 3, 2021

Laura C. Bickel

**Docket No. 5122 – Nautilus Solar Energy, LLC
Service List Updated 2/4/2021**

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STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PUBLIC UTILITIES COMMISSION

In re: Petition of Nautilus Solar Energy, LLC)
for Declaratory Judgment on Rhode Island) Docket No. 5122
General Laws § 39-26.4, the Net Metering)
Act)

MOTION TO INTERVENE OF THE NARRAGANSETT ELECTRIC COMPANY
d/b/a NATIONAL GRID

The Narragansett Electric Company d/b/a National Grid (National Grid or the Company) hereby respectfully requests that the Public Utilities Commission (PUC) grant the Company’s intervention in the above-referenced docket pursuant to Section 1.14 of the PUC’s Rules of Practice and Procedure, 810-RICR-00-00-1.14. As set forth in this motion, National Grid has an interest that may be directly affected by the Petition for Declaratory Judgment (Petition) of Nautilus Solar Energy, LLC (Nautilus). National Grid will be bound by the PUC’s decision in this matter, and its interest is not adequately represented by any existing parties. Further, National Grid’s participation in this docket is in the public interest.

LEGAL STANDARD

Rule 1.14 of the PUC’s Rules of Practice and Procedure sets forth the basis for intervention in PUC proceedings. To intervene in a proceeding before the PUC, Rule 1.14(B) provides that the moving party must demonstrate one of the following rights to intervene or an interest of such nature that intervention is necessary:

1. A right conferred by statute.
2. An interest which may be directly affected and which is not adequately represented by existing parties and as to which movants may be bound by the Commission’s action in the proceeding. (The following may have such an interest: consumers served by the applicant, defendant, or respondent, holders of securities of the applicant, defendant, or respondent.)

3. Any other interest of such nature that movant's participation may be in the public interest.

DISCUSSION

Nautilus' Petition requests a declaratory ruling from the PUC that under the Net Metering Act, R.I. Gen. Laws § 39-26.4-1 *et seq.*, (1) a single eligible net-metering system may be owned and operated by a renewable-generation developer on behalf of more than one public entity, educational institution, hospital, nonprofit or multi-municipal collaborative; and (2) a group of public housing authorities are eligible to enter into a multi-municipal collaborative for the purposes of entering into a net-metering financing arrangement. Petition at 1. Nautilus explains that it responded to a Request for Proposal (RFP) from Public Housing Association of Rhode Island (PHARI) to enter into one or more net-metering financing arrangements with municipal housing authorities, whereby three Nautilus affiliates would own and operate an eligible net-metering resource on behalf of 11 housing authorities. Id. at 2. Nautilus states that “[i]f an eligible net-metering system is only permitted to have a single Housing Authority that can designate accounts as eligible for net metering, then eleven (11) separate eligible net-metering systems would have to be developed in order for all eleven Housing Authorities to be able to participate in net metering at these sites.” Id.

National Grid is the electric distribution company to which the proposed net-metering systems would be interconnected. If Nautilus' Petition is granted, National Grid will be required to work with Nautilus and its affiliates and set up the electric service accounts into their name. Accordingly, National Grid's interests may be directly affected by this proceeding because a decision in favor of Nautilus will (1) affect National Grid's management of customer accounts and implementation of net metering credits; and (2) affect National Grid's interpretation and application of its Net Metering Provision, R.I.P.U.C. No. 2241. National Grid will be bound by PUC's decision. If permitted to intervene,

National Grid expects to offer additional perspective regarding its interpretation of the Net Metering Act and the Company's Net Metering Provision.

National Grid is not adequately represented by existing parties to the proceeding. National Grid is unaware of the Division of Public Utilities and Carriers' (the Division) position on the Petition, but the Company's interests in interpreting and implementing its own tariffs may be unique from the interests of the Division.

III. CONCLUSION

For the foregoing reasons, National Grid hereby respectfully requests that the PUC grant its motion to intervene in this proceeding as a full party.

Respectfully submitted,

THE NARRAGANSETT ELECTRIC COMPANY
d/b/a NATIONAL GRID,
By its attorney,



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Dated: March 3, 2021